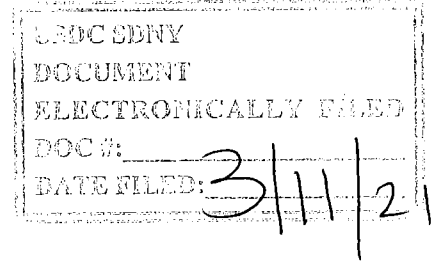


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA

v.

EDWARD DIAZ,

Defendant.
-----X

ORDER

16 CR 476 (VB)

By letter dated March 1, 2021 (Doc. #37), defendant Edward Diaz seeks a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). He also seeks the appointment of counsel for that purpose.

There is no constitutional right to the appointment of counsel for such a motion, and whether to appoint counsel is a matter within the Court's discretion. Here, defendant's former counsel has contacted the Court and offered to accept appointment in this case. Accordingly, defendant's application to appoint counsel is granted, and Jason I. Ser, Esq., of the Federal Defenders office is re-appointed as defendant's attorney.

By March 25, 2021, Mr. Ser shall file a supplemental motion pursuant to Section 3582(c)(1)(A)(i). By April 8, 2021, the government shall file a response. No reply will be permitted without prior Court permission, which the Court is unlikely to grant.

Dated: March 11, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti".

Vincent L. Briccetti
United States District Judge